

Affected Agency Notified: Yes
Emergency Required: No
Budget Adjust. Required: No
Board Rec. Required: Yes
Public Hearing:
Sponsor: Bailes
Date: December 3, 2009

EXPLANATION TO COUNCIL BILL NO. 2010 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately fourteen (14) acres, generally located in the 600 Block of Summit Ave and the 800 Block of Bob Barker Blvd. from a HM, Heavy Manufacturing District to a GI, Governmental and Institutional District.

ZONING CASE NUMBER Z-1-2010

BACKGROUND INFORMATION:

The applicant is proposing to rezone fourteen (14) acres of land from a HM, Heavy Manufacturing District to a GI, Governmental and Institutional District. This would allow the applicant to be consistent with the rest of Drury University zoned property.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on January 7, 2010 and recommended approval, by a vote of __ to __, of the proposed zoning on the tracts of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends **approval** of the proposed zoning (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. GI, Governmental and Institutional zoning district is consistent with the existing GI zoning to the north, west and east side of the subject property.
2. Approval of this request is consistent with the recommendations of the Comprehensive Plan, which identifies the subject property as **Community and Public Land Uses**. This land use category includes schools, colleges, public buildings and cemeteries and should be implemented using the Government and Institutional zoning district.

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

1. None

Submitted by:

Approved by:

Planning and Development

City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings

Exhibit C, Location Map

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-1-2010

A TRACT OF LAND BEING A PART OF BLOCKS 1, 2, 5 AND 8 OF J. FAIRBANK'S ADDITION AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN PLAT BOOK B, PAGE 83 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK "O" OF HARWOOD LIENBY AND BOYD'S ADDITION AS SHOWN IN PLAT BOOK B, PAGE 86, SAID POINT BEING AT THE NORTHEAST CORNER OF BOB BARKER BOULEVARD AND DRURY LANE; THENCE ALONG THE NORTH RIGHT-OF-WAY OF SAID BOB BARKER BOULEVARD, SOUTH 88°44'15" EAST, 230.85 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK "O" SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND ALONG THE EAST LINE OF SAID BLOCK "O", NORTH 02°01'10" EAST, 361.60 FEET TO THE NORTHEAST CORNER OF SAID BLOCK "O" AND THE SOUTH RIGHT-OF-WAY OF CENTRAL STREET; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, SOUTH 89°03'13" EAST, 530.23 FEET TO A POINT LYING ON THE WESTERLY RIGHT-OF-WAY OF THE BURLINGTON NORTHERN AND SANTA FE RAILROAD; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING COURSES, SOUTH 44°22'57" WEST, 188.17 FEET; THENCE 320.45 FEET ALONG A 720.51 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 30°34'00" WEST FOR A DISTANCE OF 317.82 FEET TO A POINT LYING ON THE SOUTH RIGHT-OF-WAY OF BOB BARKER BOULEVARD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY AND SAID RAILROAD RIGHT-OF-WAY, SOUTH 88°44'15" EAST, 13.89 FEET; THENCE 240.81 FEET ALONG A 1034.35 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 16°24'16" WEST FOR DISTANCE OF 240.26 FEET; THENCE 134.33 FEET ALONG A 1017.63 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 07°41'56" WEST FOR A DISTANCE OF 134.24 FEET TO A POINT LYING ON THE NORTH RIGHT-OF-WAY OF CHESTNUT STREET; THENCE ALONG SAID NORTH RIGHT-OF-WAY, NORTH 88°56'37" WEST, 192.23 FEET TO A POINT LYING ON THE WEST LINE OF AN EXISTING ALLEY AS SHOWN IN THE GREENE COUNTY RECORD BOOK 38 AT PAGE 260; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND ALONG SAID WEST LINE, NORTH 02°01'10" EAST, 366.04 FEET TO THE SOUTH RIGHT-OF-WAY OF BOB BARKER BOULEVARD; THENCE LEAVING SAID WEST LINE, NORTH 01°49'17" EAST, 50.00 FEET TO THE POINT OF BEGINNING. CONTAINING 230,164 SQUARE FEET OR 5.28 ACRES, MORE OR LESS. ALL LYING IN THE EAST HALF OF THE SOUTHWEST QUARTER AND NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. DATE OF ADJUSTMENT 2000. AND;

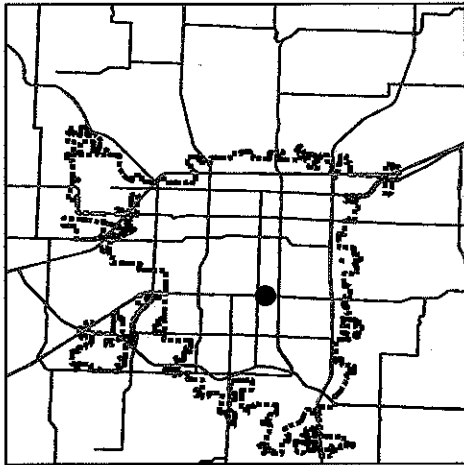
A TRACT OF LAND BEING ALL OF LOTS 19 THRU 35 BLOCK 6 IN WOOLLEY PORTER AND HUBBELL'S SUBDIVISION, AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2006, PAGE 054382-06 AND ALSO DESCRIBED TRACT 1 AND TRACT 2 IN MINOR SUBDIVISION 3222, AND A PORTION OF BLOCK 8 OF J. FAIRBANKS ADDITION LYING EAST OF THE BURLINGTON NORTHERN RAILROAD AS DESCRIBED IN BOOK 2636, PAGE 1699 AND BOOK 2006, PAGE 009641-06 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 32, BLOCK 6 IN WOOLLEY PORTER AND HUBBELL'S SUBDIVISION AS DESCRIBED IN PLAT BOOK C, PAGE 84 SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY OF BOB BARKER BOULEVARD; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY AND ALONG THE EASTERLY RIGHT-OF-WAY OF THE BURLINGTON NORTHERN AND SANTA FE RAILROAD THE FOLLOWING COURSES, 245.11 FEET ALONG A 620.51 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 31°54'31" EAST FOR A DISTANCE OF 243.52 FEET; THENCE NORTH 44°22'57" EAST, 281.88 FEET TO A POINT LYING ALONG THE

SOUTH RIGHT-OF-WAY OF CENTRAL STREET; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, SOUTH 89°01'10" EAST, 145.09 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY, SOUTH 21°33'22" WEST, 185.33 FEET; THENCE SOUTH 13°12'24" WEST, 33.88 FEET; THENCE SOUTH 23°12'08" WEST, 171.41 FEET TO THE NORTH RIGHT-OF-WAY OF BOB BARKER BOULEVARD; THENCE LEAVING SAID NORTH RIGHT-OF-WAY, SOUTH 01°15'45" WEST, 50.00 FEET TO A POINT LYING ON THE SOUTH RIGHT-OF-WAY OF BOB BARKER BOULEVARD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, SOUTH 88°44'15" EAST, 62.17 FEET TO A POINT LYING ON THE WEST RIGHT-OF-WAY OF CLAY AVENUE; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY AND ALONG SAID WEST RIGHT-OF-WAY, SOUTH 01°42'05" WEST, 363.16 FEET TO A POINT LYING ON THE NORTH RIGHT-OF-WAY OF CHESTNUT STREET; THENCE LEAVING SAID WEST RIGHT-OF-WAY AND ALONG SAID NORTH RIGHT-OF-WAY, NORTH 88°57'54" WEST, 454.88 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY OF THE BURLINGTON NORTHERN AND SANTA FE RAILROAD; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND ALONG SAID EASTERLY RIGHT-OF-WAY, 375.28 FEET ALONG A 753.15 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 11°57'36" EAST FOR A DISTANCE OF 371.41 FEET TO THE POINT OF BEGINNING. CONTAINING 6.05 ACRES, MORE OR LESS. ALL LYING IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. DATE OF ADJUSTMENT 2000.

EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-1-2010

(The Record of Proceedings will be prepared for the City Council meeting)



Zoning & Subdivision Report

Planning & Development - 417/864-1611
840 Boonville - Springfield, Missouri 65801

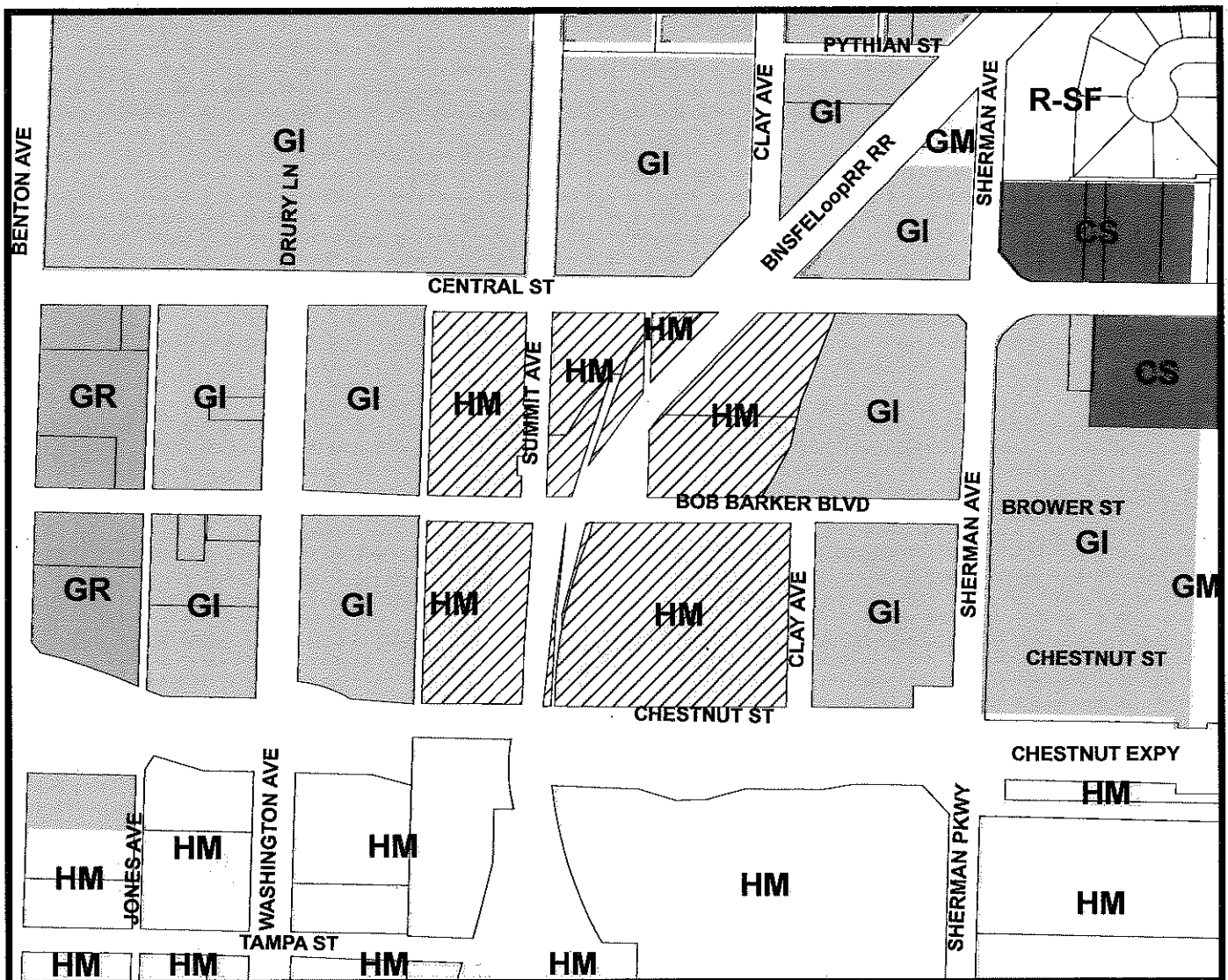
Z-1-2010

800 Block of Summit Ave. and 600 Block of Bob Barker Blvd.

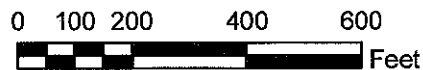
Current Zoning: HM

Proposed Zoning: GI

LOCATION SKETCH



- Area of Proposal



1 inch = 320.970291 feet

ATTACHMENT 1
BACKGROUND REPORT

ZONING CASE Z-1-2010

DATE: December 7, 2009

LOCATION: 800 Block of Summit and 600 Block of Bob Barker Blvd.

APPLICANT: Drury University/ Pete Radecki

TRACT SIZE: Approximately 14.7 acres

EXISTING USE: Vacant land, parking lots and former site of the Tindle Mill

PROPOSED USE: Uses permitted in the GI, Governmental Institutional District

SURROUNDING ZONING AND LAND USES:

AREA	ZONING	LAND USE
North	GI	Central High School and Drury University Sports Fields
East	GI	OTC campus
South	HM	Chestnut Expressway/ Harry Cooper Supply
West	GI	Parking lot, Drury University Campus

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Chestnut Street is to be restricted to right-in/right-out only at Sherman Avenue. A public improvement plan for the construction of a median on Sherman Avenue at Chestnut Street is required. Applicant needs to coordinate with MoDOT which is currently working on a redesign of the intersection of Sherman Avenue and Chestnut Expressway.

STORMWATER COMMENTS:

This property is within the North Branch of Jordan Creek flood plain. Staff will review drainage plans at time of development.

SANITARY SERVICES COMMENTS:

There is existing public sanitary sewer to the tracts. No problems with rezoning regarding sanitary sewer. The options for relocating or protecting the sewer mains from beneath any proposed structures have been discussed with the architect.

ADJACENT PROPERTY OWNER COMMENTS:

Five property owners are within 185 feet of the subject property and were notified of this request. No one has objected to this request.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 2, 2009 in conformance with City Council's policy. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. This request is consistent with the *Growth Management and Land Use Plan*, which identifies this area as Governmental and Institutional uses. The comprehensive plan states that; As Springfield has grown, so have its major institutions such as colleges, hospitals and government offices. This institutional growth benefits the community by providing jobs, tax base, visitor attractions, entertainment and cultural activities, and prestige. Continued institutional growth can be positive for the community, but it is also important that these institutions be compatible with their surroundings. Springfield has a good history of crafting plans and regulations that balance these sometimes competing interests, and the City should continue to pay attention to the needs of all stakeholders in this process.
 - **Compatible Institutional Growth:** Continue to work closely with institutional partners to ensure that the scale and form of expansion will occur in a manner compatible with surrounding areas.
 - Colleges, medical complexes, governmental building areas and other large property interests should concentrate their greatest density and height in the interior of their "campuses."
 - Work with institutions to create building forms on the edges of institutional properties that are most reflective of neighboring properties.
 - Encourage institutions to make the amenities and green spaces of institutional properties visually and physically accessible to the public where practicable.
 - Continue to work to build consistent and clear communications between institutions and affected neighborhoods.
 - Encourage institutions to provide adequate buffers and green space to separate institutional land uses from residential land uses.
2. The Springfield-Greene County Parks, Open Space and Greenways element has identified a greenway trail running more or less along the BNSF railroad right of way that would connect to the Jordan Valley Park/greenway, Silver Springs Park and Smith Park. There is a request to vacate streets and alleyways at the same time as this rezoning request. Staff is recommending that there be a dedication of a north-south public access easement for this future greenway trail.

FINDINGS FOR STAFF RECOMMENDATION:

3. The applicant proposes to rezone this tract from a HM, Heavy Manufacturing District to a GI, Governmental and Institutional District.
4. GI, Governmental and Institutional zoning district is consistent with the existing GI zoning to the north, west and east side of the subject property.
5. Approval of this request is consistent with the recommendations of the Comprehensive Plan, which identifies the subject property as **Community and Public Land Uses**. This land use category includes schools, colleges, public buildings and cemeteries and should be implemented using the Government and Institutional zoning district.

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

None

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Senior Planner

Neighborhood Meeting Summary:

Meeting Date & Time – December 2nd, 4:30 pm

Meeting Location – Trustee Science Center, Drury University. This location was chosen because of its proximity to the property.

The 500' mailing list was generated by the City of Springfield. After deleting duplicate addresses a total of 18 invitation letters were sent out to area businesses.

In attendance:

Rob Rector and Jeff Jochens - Ozarks Technical College, 1001 E. Chestnut Expressway

Matt Seebaver - Jordan Valley CHC, 618 N. Benton

Greg Snyder and Judy Hadsall - CU Community Credit Union, 818 N. Benton

John Jamison, Trustee - Benton Ave. AME Church, 830 N. Benton

Bethany Kehlenbrink from Bates & Associates, Neil Brady from Anderson Engineering, and Tom Carlson were also in attendance to answer any questions presented regarding the property. Pete Radecki from Drury University presented the attached information for attendees.

Questions and comments were favorable. There were no issues with the changes discussed:

"We are happy you are making the change"

"Do you see those buildings going down quickly?"

We would like them to, but we are still working on what will replace these structures. Drury sees them as a liability and has already taken steps to sell the equipment that inside the structures as a first step of the demolition process.

"Do you have any concerns with changing from HM to GI?"

No we have not found any. The GI has been recently amended to allow more for the uses we have envisioned for the site and this will make consistent zoning across our campus and with Ozarks Technical Community College.

"Will a parking structure go on the site?"

Drury see no need currently for more parking. Ozarks Technical Community College has a need but currently there is no contract in place with them to put parking on this site.

"Is the railway still active?"

We see activity on those tracks daily. They are a connection to the businesses on the south side of Chestnut Expressway for the railroad.

Enclosed:

Sign in sheet

Presentation

Sample list of addressees

ANDERSON ENGINEERING, INC

EMPLOYEE OWNED

2045 W. Woodland • Springfield, MO 65807 • (417) 866-2741 • FAX (417) 866-2778
811 E. Third St. • Joplin, MO 64801 • (417) 782-7399 • FAX (417) 782-7398
aeinc@aeincmo.com • www.aeincmo.com

CLIENT _____
CLIENT No. _____ SHEET No. _____ Of _____
CALCULATED By _____ DATE _____
CHECKED By _____ DATE _____
PROJECT _____

CALCULATIONS FOR:

NEIL BRADY	ANDERSON ENG	2045 W WOODLAND
TOM CARLSON		205 W WALNUT
ROB RECTOR		1001 E. CHESTNUT EXPRESSWAY
JEFF JOCHENS / OTC		1001 E. Chestnut Expressway
MATT SEEBAUER		618 N Benton Jordan Valley CHC
GREG SNYDER		818 N BENTON CU community Credit Union
JUDY HADSALL		818 N BENTON CU COMMUNITY CREDIT UNION
JOHN JAMISON - TRUSTEE		830 N. Benton Benton Ave. AME Church
BETHANY KEHLENBRINK		Bates + Associates.



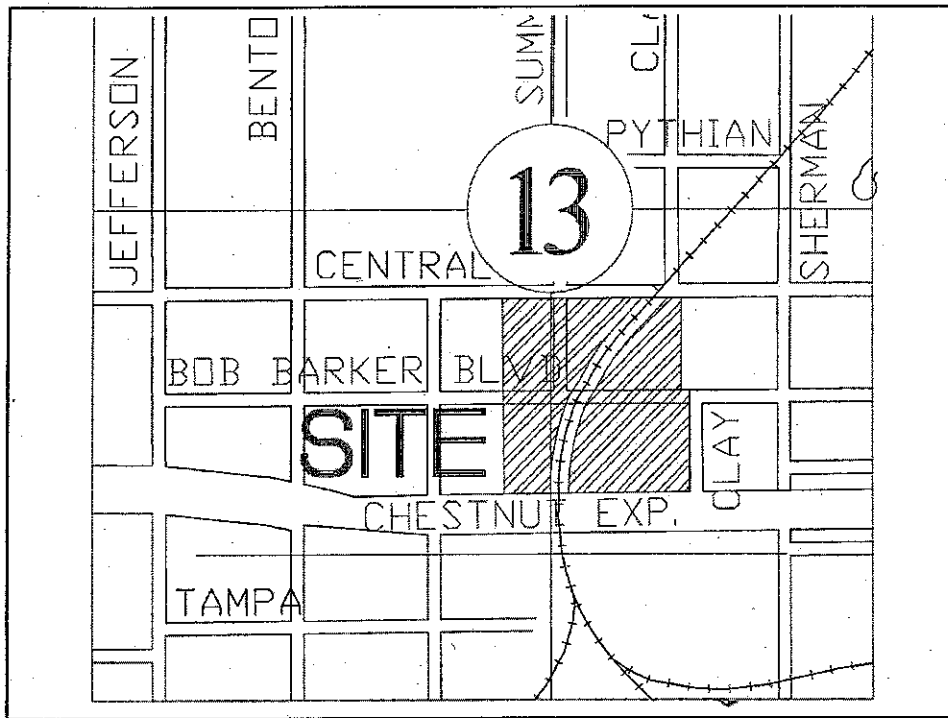
Request for Rezoning

Public Meeting – Dec 2, 2009

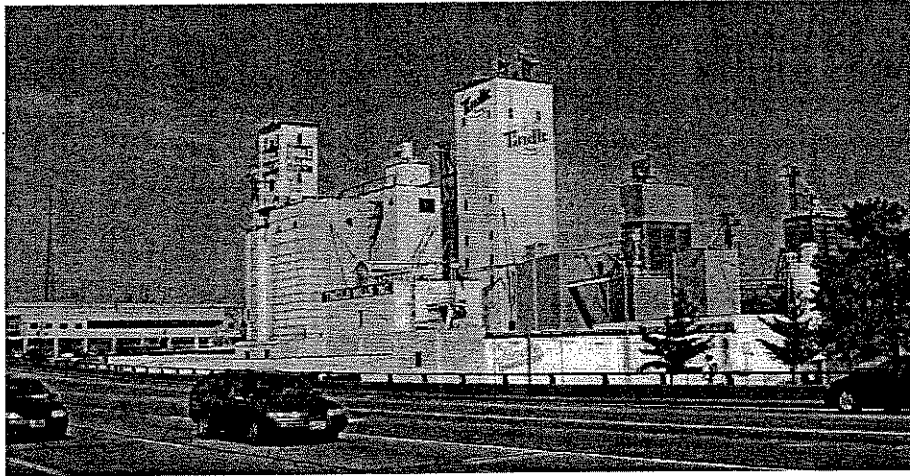
The Request

- ***Drury University requests that properties it has recently acquired comprising former industrial sites be rezoned from Heavy Manufacturing to Government and Institutional District which is consistent with the zoning for the bulk of the Drury campus.***





Tindle Mills Front Door



- The Government and Institutional Use District is established to apply to those lands where federal, state or local government activities are conducted, where governments hold title to such lands, and to major public and private educational and medical facilities. This district is also intended to classify land that is vacant but has been designated for the activities listed above in an adopted plan. It is not intended to classify all lands owned by government into this district, but only those uses that are comparatively intensive or which require substantial buildings. Park and recreational facilities would not ordinarily be placed in this zone. Certain nongovernmental and non-institutional uses are permitted to provide necessary services to governmental and institutional uses.*



- ***Heavy Manufacturing District is intended for heavy industrial uses and other uses not otherwise provided for in the other industrial districts. The intensity of uses permitted in this district makes it necessary to separate it from all residential districts wherever possible with good accessibility provided to major rail, air facilities and highways. Areas zoned HM are intended to be at least twenty (20) acres in size unless the zoning is based on an adopted plan or comprehensive zoning scheme.***

